

REMARKS

Revocation of Power of Attorney

Applicant is enclosing herewith a Revocation of Power of Attorney and Appointment of New Attorney naming BRUCE H. TROXELL as attorney of record in this patent application. It is requested that all further correspondence regarding this matter be forwarded to TROXELL LAW OFFICE PLLC at the address listed on the enclosed form. A CHANGE OF ADDRESS FORM is also being submitted herewith.

Claim Rejections

Claims 1-4 are rejected under 35 U.S.C. § 112, second paragraph. Claims 1-4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Holden (U.S. 3,082,988).

Abstract of the Disclosure

Applicant is submitting herewith a substitute Abstract of the Disclosure for that originally filed with this application to more clearly describe the claimed invention. Entry of the substitute Abstract of the Disclosure is respectfully requested.

Drawings

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, Applicant must assume that the drawings are acceptable as filed.

New Claims

By this Amendment, Applicant has canceled claims 1-4 and has added new claims 5-8 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art.

The new claims are directed toward a hanging pole with a sucking disc comprising: a sucking disc body (1) having: a threaded shaft (10); and a rubber

sucking disc (11); a compression stand (2) having: a shell plate (21) having a through hole (22), the threaded shaft being inserted through the through hole; a connecting sleeve (20); and a slot hole (23) located between the shell plate and the connecting sleeve; a threaded nut (24) located in the slot hole and threadedly connected to the threaded shaft, wherein the threaded nut selectively moves the rubber sucking disc between first and second positions to create a vacuum; and a pole (3) connected at a first end to the connecting sleeve.

Other embodiments of the present invention include: the shell plate has a curved shape; the pole is stretchable; and a fixing top (4) connected to a second end of the pole.

The primary reference to Holden discloses a suction cup mounting for a kitchen appliance including a base (19), a resilient disk (20) connected to a plunger (26), a post (18), and a lever (22) pivotally connected to the post. The lever is connected by a link (25) to the plunger, whereby the lever moves the resilient disk up and down.

Holden does not teach a compression stand having a connecting sleeve; a compression stand having a slot hole located between the shell plate and the connecting sleeve; the threaded nut selectively moves the rubber sucking disc between first and second positions to create a vacuum; a pole connected at a first end to the connecting sleeve; the pole is stretchable; nor does Holden teach a fixing top connected to a second end of the pole.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Holden does not disclose each and every feature of Applicant's new claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Holden cannot be said to anticipate any of Applicant's new claims under 35 U.S.C. § 102.

It is further submitted that Holden does not disclose, or suggest any modification of the specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Thus, it is not believed that Holden renders obvious any of Applicant's new claims under 35 U.S.C. § 103.

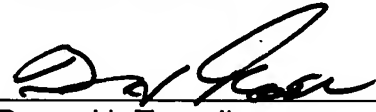
Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: August 18, 2004

By:



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